

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

VARSITY SPIRIT, LLC, VARSITY SPIRIT FASHIONS & SUPPLIES, LLC and VARSITY BRANDS, LLC,

Plaintiffs,

-against-

VARSITY NEWS NETWORK, INC.

Defendant.

Civil Action No. 3:17-cv-00030

JURY TRIAL DEMANDED

PLAINTIFFS' ORIGINAL COMPLAINT

Plaintiffs Varsity Spirit, LLC, Varsity Spirit Fashions & Supplies, LLC and Varsity Brands, LLC, (collectively, (“Varsity”) or (“Plaintiffs”)) bring this Original Complaint against Defendant Varsity News Network, Inc., and would respectfully show the Court as follows:

JURISDICTION AND VENUE

1. This is a civil action for trademark infringement, false designation of origin, and unfair competition under the Trademark Act of 1946, 15 U.S.C. § 1051 *et seq*, as amended (“Lanham Act”), and other state law claims. This Court has subject matter jurisdiction over this action pursuant to 28 U.S.C. §§ 1331 and 1338(a) and 15 U.S.C. § 1121 with respect to the claims arising under the Lanham Act, and supplemental jurisdiction pursuant to 28 U.S.C. §§ 1338(b) and 1367(a) with respect to the claims arising under Texas law.

2. Venue is proper in this Court pursuant to 28 U.S.C. § 1391(b) because, as set forth more fully below, a substantial part of the events or omissions giving rise to Varsity’s claims in this matter occurred in the Northern District of Texas.

PARTIES

3. Plaintiff Varsity Brands, LLC is a limited liability company organized and existing under the laws of the State of Delaware with its principal place of business at 4849 Alpha Road, Dallas, Texas 75244.

4. Plaintiff Varsity Spirit Fashions & Supplies, LLC is a limited liability company organized and existing under the laws of the State of Minnesota with its principal place of business at 6745 Lenox Center Court, Suite 300, Memphis, Tennessee 38115.

5. Plaintiff Varsity Spirit, LLC is a limited liability company organized and existing under the laws of the State of Tennessee with its principal place of business at 6745 Lenox Center Court, Suite 300, Memphis, Tennessee 38115.

6. Defendant Varsity News Network, Inc. (“Defendant” or “VNN”) is a corporation organized and existing under the laws of the State of Delaware with its principal place of business at 678 Front Ave NW, Ste. 300, Grand Rapids, MI 49504. As set forth more fully below, VNN regularly conducts business within the State of Texas and within this judicial district.

FACTUAL BACKGROUND AND GENERAL ALLEGATIONS

7. For over 40 years, Varsity has operated businesses using corporate names and trade names that include the name and mark VARSITY (collectively, “VARSITY Trade Names”). Since their formation, Plaintiffs have been among the most successful and highly respected companies in the United States engaged primarily in the business of organizing and sponsoring cheerleading sporting events, camps and competitions using the trademark VARSITY, with and without other words and designs in stylized forms (collectively, the “VARSITY Marks”) and, *inter alia*, offering goods and services using the VARSITY Marks,

directed to students and others at all levels and of all ages, including providing web content and videos, live events and webisodes via broadband network.

8. Since 1999, with the launch of VARSITY.COM, Varsity has provided web content directed to high school and college age teens and their parents, as well as online news, articles, audio clips, resources, photos and videos.

9. Additionally, internet users including Varsity's customers can register their cheer and dance sporting teams on VARSITY.COM and create individualized webpages that allow them to interact with others.

10. For many years, and long prior to any use by Defendant, Varsity has produced television programming on ESPN and Fox Network.

11. In order to keep pace with changing technology, Varsity's programming is constantly expanded to future platforms, and Varsity has launched VARSITY TV which features videos, live events and webisodes on Varsity's broadband network, making Varsity a worldwide provider of media content across multiple platforms.

12. Plaintiffs are the owners of numerous trademark applications and registrations and domain name registrations in the United States for the VARSITY Marks.

13. Varsity's registered trademarks include without limitation:

MARK	REG. NO.	REG. DATE	GOODS/SERVICES
VARSITY (STYLIZED)	879543	10/28/1969	PAJAMA AND ROBE SETS
JUNIOR VARSITY SPIRIT FASHIONS	1575830	1/2/1990	MAIL ORDER CATALOG SERVICES IN THE FIELD OF CHEERLEADER UNIFORMS FOR YOUNGER AGE GROUPS
VARSITY SPIRIT FASHIONS	1680452	3/24/1992	MEN'S AND WOMEN'S CHEERLEADER AND DANCE TEAM CLOTHING; NAMELY, SKIRTS, SWEATS, SWEATERS, TOPS, PANTS,

			SHOES
VARSITY SPIRIT	1796645	10/5/1993	SHOES CONDUCTING CHEERLEADING, DANCE TEAM AND GYMNASTICS TRAINING CAMPS, CLINICS, SEMINARS, WORKSHOPS, COMPETITIONS, CHAMPIONSHIPS AND TOURNAMENTS; PERFORMING CHEERLEADING AT BOWL GAMES; PRIVATE GYMNASTICS, CHEERLEADER AND DANCE TEAM COACHING
VARSITY	1812198	12/21/1993	MEN'S AND WOMEN'S SLEEPWEAR, UNDERWEAR, NIGHT SHIRTS, LOUNGEWEAR AND BOXER SHORTS
VARSITY	2082554	7/22/1997	MENS UNDERWEAR; T-SHIRTS; BRIEFS; ATHLETIC SHIRTS; UNDERGARMENTS; PAJAMAS; ROBES; NIGHTSHIRTS; LOUNGEWEAR AND BOXER SHORTS SOLD THROUGH RETAIL OUTLETS
VARSITY GIRL	2155823	5/5/1998	CLOTHING FOR GIRLS, NAMELY, WOVEN SHIRTS, KNITTED SHIRTS, JOGGING SUITS AND SHORTS
VARSITY SPORT	2293083	11/16/1999	ATHLETIC WEAR, NAMELY, SPORTS SHIRTS, SPORTS SHORTS, GLOVES, VESTS, TOPS, SKIRTS, JUMPERS, WARM-UP SUITS, PANTS, SWEATERS, ATHLETIC SHOES, SWEATSHIRTS, T-SHIRTS, ATHLETIC SHORTS, SWEATPANTS, TIGHTS, LEOTARDS, UNITARDS, DRESSES AND JACKETS
V VARSITY AND DESIGN	2357303	6/13/2000	CHEERLEADER UNIFORMS, DRILL TEAM UNIFORMS AND POM PON SQUAD UNIFORMS
VARSITY	2526564	1/8/2002	ATHLETIC SHIRTS, ATHLETIC SHORTS, ATHLETIC TOPS, BODY SUITS, DRESSES, HATS, JACKETS, JERSEYS, JUMPERS, LEOTARDS, PANTS, SKIRTS, SWEATERS, SWEAT PANTS, SWEAT SHIRTS, T-SHIRTS, UNITARDS, AND WARM-UP SUITS SOLD TO COLLEGES, HIGH SCHOOLS AND SCHOOL-AFFILIATED TEAMS, CLUBS, GROUPS AND INDIVIDUALS

			BY DIRECT SALES THROUGH SALES REPRESENTATIVES OR EMPLOYEES OF APPLICANT, THROUGH MAIL ORDER CATALOG SERVICES OR THROUGH CAMPUS BOOK STORES OR OTHER RETAIL OUTLETS LOCATED AT COLLEGES AND HIGH SCHOOLS; UNIFORMS FOR CHEERLEADERS, DRILL TEAMS, POM POM SQUADS, PEP SQUADS, MASCOTS, BANDS AND BOOSTER CLUBS
VARSITY.COM	3418764	4/29/2008	ONLINE RETAIL STORE SERVICES FEATURING PRE-RECORDED COMPACT DISCS, SCHOOL SUPPLIES, JEWELRY; PROVIDING A WEBSITE WHICH FEATURES ADVERTISEMENTS FOR THE GOODS AND SERVICES OF OTHERS ON TOPICS OF INTEREST TO TEENAGE BOYS AND GIRLS ON A GLOBAL COMPUTER NETWORK TRAVEL AGENCY SERVICES, NAMELY, MAKING RESERVATIONS PROVIDING AN ONLINE DATABASE IN THE FIELD OF TOPICS OF INTEREST TO TEENAGE BOYS AND GIRLS, NAMELY, FASHION
VARSITY	3436493	5/27/2008	ONLINE RETAIL STORE SERVICES FEATURING PRE-RECORDED COMPACT DISCS, SCHOOL SUPPLIES, JEWELRY; PROVIDING A WEBSITE WHICH FEATURES ADVERTISEMENTS FOR THE GOODS AND SERVICES OF OTHERS ON TOPICS OF INTEREST TO TEENAGE BOYS AND GIRLS ON A GLOBAL COMPUTER NETWORK TRAVEL AGENCY SERVICES, NAMELY, MAKING RESERVATIONS PROVIDING AN ONLINE DATABASE IN THE FIELD OF TOPICS OF INTEREST TO TEENAGE BOYS AND GIRLS, NAMELY, FASHION
VARSITY.COM	3689696	9/29/2009	CAMPS, NAMELY, CHILDREN'S RECREATIONAL CAMPS,

			CHEERLEADING CAMPS, AND SOCCER CAMPS
VARSITY	3696209	10/13/2009	PRE-RECORDED VIDEOTAPES AND COMPACT DISCS CONTAINING MUSIC AND/OR MOVIES CAMPS, NAMELY, CHILDREN'S RECREATIONAL CAMPS, CHEERLEADING CAMPS, AND SOCCER CAMPS
VARSITY (STYLIZED)	3782740	4/27/2010	COSMETICS, NAMELY, LIPSTICK, LIP LINER, FACE POWDER, BLUSH, MASCARA, EYELINER, EYEBROW PENCIL, AND EYE SHADOW ATHLETIC SHIRTS, ATHLETIC SHORTS, ATHLETIC TOPS, BODYSUITS, DRESSES, HATS, JACKETS, JERSEYS, JUMPERS, LEOTARDS, PANTS, SKIRTS, SWEATERS, SWEATPANTS, SWEATSHIRTS, T-SHIRTS, UNITARDS AND WARM-UP SUITS SOLD TO COLLEGES, HIGH SCHOOLS AND SCHOOL-AFFILIATED TEAMS, CLUBS, GROUPS AND INDIVIDUALS BY DIRECT SALES THROUGH SALES REPRESENTATIVES OR EMPLOYEES OF APPLICANT, THROUGH MAIL ORDER CATALOGUE SERVICES OR THROUGH CAMPUS BOOKSTORES OR OTHER RETAIL OUTLETS LOCATED AT COLLEGES AND HIGH SCHOOLS; UNIFORMS FOR CHEERLEADERS, DRILL TEAMS, POM PON SQUADS, PEP SQUADS, MASCOTS, BANDS AND BOOSTER CLUBS; FOOTWEAR, NAMELY, ATHLETIC SHOES, CHEERLEADER SHOES, DANCE SHOES, SLIPPERS, FLIP-FLOPS AND SANDALS
VARSITY UNIVERSITY	3797635	6/1/2010	PROVIDING EDUCATIONAL AND INSTRUCTIONAL COURSES IN THE FIELDS OF CHEERLEADING ROUTINES, STUNTS, SEQUENCES, SKILLS AND DRILLS, CHOREOGRAPHY AND DANCE TECHNIQUE, AND SAFETY

			INFORMATION TO PARTICIPANTS IN THE SPIRIT, CHEER, AND DANCE TEAM INDUSTRIES DELIVERED BOTH ONLINE AND THROUGH THE CLASSROOM
VARSITY TV	3858342	10/5/2010	AN INTERACTIVE WEBSITE FEATURING ENTERTAINMENT INFORMATION AND CHEERLEADING VIDEOS FOR STUDENTS AND TEENS
VARSITY TV	3920302	2/15/2011	ONLINE SOCIAL NETWORKING SERVICES FOR STUDENTS AND TEENS
VARSITY	3928856	3/8/2011	FOOTWEAR, NAMELY, CHEERLEADER SHOES, DANCE SHOES, SLIPPERS, FLIP-FLOPS AND SANDALS; ATHLETIC SHOES
V VARSITY SHOP AND DESIGN	4110341	3/6/2012	ON-LINE RETAIL STORE SERVICES FEATURING DVDS, COMPACT DISCS, JEWELRY, ATHLETIC SHIRTS, ATHLETIC SHORTS, ATHLETIC TOPS, BODYSUITS, DRESSES, HATS, JACKETS, JERSEYS, LEOTARDS, PANTS, SHIRTS, SHORTS, SKIRTS, SWEATERS, SWEATPANTS, SWEATSHIRTS, T-SHIRTS, UNITARDS AND WARM-UP SUITS, SPORTS BAGS, CARRY-ALL BAGS, SHOULDER BAGS, BACKPACKS, KNAPSACKS, DUFFLE BAGS, ALL-PURPOSE SPORTING BAGS, ALL-PURPOSE CARRYING BAGS, TOTE BAGS, UMBRELLAS, SHOE BAGS, MESSENGER BAGS, TRAVEL CASES, KEY HOLDERS, OVERNIGHT BAGS, POM PONS, UNIFORMS FOR CHEERLEADERS, DRILL TEAMS, POM PON SQUADS, PEP SQUADS, FOOTWEAR, NAMELY, ATHLETIC SHOES, CHEERLEADER SHOES, DANCE SHOES, GLOVES, VESTS, CAPS, SPORTS BRAS, SOCKS, LOUNGEWEAR
VARSITY ID	4203121	9/4/2012	CUSTOM DESIGN OF WEARABLE APPAREL BASED ON PERSONAL SELECTIONS MADE BY THE CUSTOMER

VARSITY ID (STYLIZED)	4203122	9/4/2012	CUSTOM DESIGN OF WEARABLE APPAREL BASED ON PERSONAL SELECTIONS MADE BY THE CUSTOMER
VARSITY ALL STAR	4258636	12/11/2012	CONDUCTING CHEERLEADING AND DANCE COMPETITIONS AND EVENTS
VARSITY LAST PASS	4314148	4/2/2013	FOOTWEAR, NAMELY, CHEERLEADER SHOES
VARSITY	4403734	9/17/2013	DOWNLOADABLE SOFTWARE IN THE NATURE OF A MOBILE APPLICATION, NAMELY, SOFTWARE FOR ACCESSING, VIEWING, INTERACTING WITH AND DOWNLOADING CONTENT IN THE FIELD OF ENTERTAINMENT, SCHOOL SPIRIT, DANCE, AND CULTURAL CONTENT DIRECTED AT YOUNG ADULTS FOR MOBILE PHONES, HANDHELD COMPUTERS, AND PORTABLE AND HANDHELD DIGITAL ELECTRONIC DEVICES
VARSITY U.	4438199	11/26/2013	IRON-ON TRANSFERS; APPLIQUÉS IN THE FORM OF DECALS; IRON-ON RHINESTONE TRANSFERS; IRON-ON STUD TRANSFERS; BOOKS AND BOOKLETS CONTAINING REMOVABLE AND TEMPORARY TATTOOS; TEMPORARY TATTOOS
VARSITY ALL STAR FASHION	4451703	12/17/2013	MEN AND WOMEN'S CHEERLEADER AND DANCE TEAM CLOTHING, NAMELY, SKIRTS, SWEAT SUITS, TOPS, PANTS
VINTAGE VARSITY	4464123	1/7/2014	JACKETS, WARM-UP SUITS; UNIFORMS FOR CHEERLEADERS, DRILL TEAMS, POM PON SQUADS, AND DANCERS
VARSITY COUTURE	4526644	5/6/2014	ATHLETIC SHIRTS, ATHLETIC SHORTS, ATHLETIC TOPS, BODYSUITS, DRESSES, HATS, VISORS, CAPS, JACKETS, JERSEYS, JUMPERS, LEOTARDS, PANTS, JEANS, DENIMS, SHIRTS, SHORTS, SKIRTS, SWEATERS, SWEATPANTS, SWEATSHIRTS, T-SHIRTS, UNITARDS, MIDRIFFS, TANK TOPS, BODY SUITS AND WARM-UP SUITS;

			UNIFORMS FOR CHEERLEADERS, DRILL TEAMS, POM PON SQUADS, PEP SQUADS, MASCOTS, BANDS, BOOSTER CLUBS AND DANCERS; FOOTWEAR, NAMELY, ATHLETIC SHOES, CHEERLEADER SHOES, GYMNASTIC SHOES, DANCE SHOES, SLIPPERS, FLIP-FLOPS, SANDALS, SNEAKERS AND SHOES; GLOVES, VESTS, TIGHTS, INFANT WEAR, HOSIERY, NECKTIES, GIRDLES, SPORTS BRAS, SOCKS, SLEEPWEAR, UNDERWEAR, NIGHT SHIRTS, LOUNGEWEAR, BOXER SHORTS, ROBES, PAJAMAS AND ROBE SETS, PRIMARILY COMPRISING ROBES, BANDANAS AND HEADBANDS
MYVARSITY	4546436	6/10/2014	APPLICATION SOFTWARE AND DOWNLOADABLE APPLICATION SOFTWARE INCORPORATING A GRAPHICAL USER INTERFACE FOR ACCESS AND DELIVERY OF ONLINE SERVICES IN THE FIELDS OF CHEERLEADING AND DANCE CAMPS, COMPETITIONS AND EVENTS
VARSITY DANCE	4593424	8/26/2014	CLOTHING, NAMELY, UNIFORMS FOR DRILL TEAMS, DANCE TEAMS AND POM PON SQUADS
VARSITY ALL STAR	4607865	9/23/2014	BUSINESS INFORMATION AND ACCOUNTING ADVISORY SERVICES; SPECIAL EVENT PLANNING FOR BUSINESS PURPOSES, NAMELY, PROVIDING GYM OWNERS AND COACHES SCHEDULING INFORMATION FOR CHEERLEADING AND DANCE COMPETITIONS AND EVENTS INFORMATION WITH RESPECT TO CHEERLEADING AND DANCE UNIFORMS PROVIDING EDUCATIONAL COURSES AND REVENUE-SHARING EDUCATIONAL PROGRAMS IN THE FIELD OF CHEERLEADING AND DANCE TO GYM OWNERS AND COACHES; PROVIDING

			CHOREOGRAPHY SERVICES FOR OTHERS
VARSITY TOUCHDOWN	4615138	9/30/2014	ATHLETIC SHIRTS, ATHLETIC SHORTS, ATHLETIC TOPS, BODYSUITS, DRESSES, HATS, VISORS, CAPS, JACKETS, JERSEYS, JUMPERS, LEOTARDS, PANTS, JEANS, DENIMS, SHIRTS, SHORTS, SKIRTS, SWEATERS, SWEATPANTS, SWEATSHIRTS, T-SHIRTS, UNITARDS, MIDRIFFS, TANK TOPS, BODY SUITS AND WARM-UP SUITS; UNIFORMS FOR CHEERLEADERS, DRILL TEAMS, POM PON SQUADS, PEP SQUADS, MASCOTS, BANDS, BOOSTER CLUBS AND DANCERS; FOOTWEAR, NAMELY, ATHLETIC SHOES, CHEERLEADER SHOES, GYMNASTIC SHOES, DANCE SHOES, SLIPPERS, FLIP-FLOPS, SANDALS, SNEAKERS AND SHOES; GLOVES, VESTS, TIGHTS, INFANT WEAR, HOSIERY, NECKTIES, GIRDLES, SPORTS BRAS, SOCKS, SLEEPWEAR, UNDERWEAR, NIGHT SHIRTS, LOUNGEWEAR, BOXER SHORTS, ROBES, PAJAMAS AND ROBE SETS, PRIMARILY COMPRISING ROBES, BANDANAS AND HEADBANDS
VARSITY PIN TRADING	4625161	10/21/2014	RETAIL STORE SERVICES FEATURING PINS, LANYARDS, PATCHES AND BUTTONS
VARSITY COLORS	4743867	5/26/2015	ATHLETIC SHIRTS, ATHLETIC SHORTS, ATHLETIC TOPS, BODYSUITS, DRESSES, HATS, VISORS, CAPS, JACKETS, JERSEYS, JUMPERS, LEOTARDS, PANTS, JEANS, DENIMS, SHIRTS, SHORTS, SKIRTS, SWEATERS, SWEATPANTS, SWEATSHIRTS, T-SHIRTS, UNITARDS, MIDRIFFS, TANK TOPS, BODY SUITS AND WARM-UP SUITS; UNIFORMS FOR CHEERLEADERS, DRILL TEAMS, POM PON SQUADS, PEP SQUADS, MASCOTS, BANDS, BOOSTER CLUBS AND DANCERS;

			FOOTWEAR, NAMELY, ATHLETIC SHOES, CHEERLEADER SHOES, GYMNASTIC SHOES, DANCE SHOES, SLIPPERS, FLIP-FLOPS, SANDALS, SNEAKERS AND SHOES; GLOVES, VESTS, TIGHTS, INFANT WEAR, HOSIERY, NECKTIES, GIRDLES, SPORTS BRAS, SOCKS, SLEEPWEAR, UNDERWEAR, NIGHT SHIRTS, LOUNGEWEAR, BOXER SHORTS, ROBES, PAJAMAS AND ROBE SETS, PRIMARILY COMPRISING ROBES, BANDANAS AND HEADBANDS
VARSITY UNIVERSITY	4823834	9/29/2015	PROVIDING EDUCATIONAL COURSES, INSTRUCTIONAL COURSES, AND SEMINARS IN THE FIELDS OF SCHOOL SPIRIT, SPIRIT TEAMS, SPIRIT COACHING, ACHIEVING SPORTS AND SCHOOL GOALS, AND SAFETY INFORMATION TO PARTICIPANTS IN SPORTS
VARSITY	5008375	7/26/16	STICKERS; TEMPORARY TATTOOS; ART SUPPLIES, NAMELY, ART AND CRAFT PAINT KITS, PAPER PATCHES FOR CLOTHING; PHOTO ALBUMS; AND KEEPSAKE BOXES OF CARDBOARD RIBBONS; HAIR RIBBONS; HAIR BOWS; SEW-ON APPLIQUÉS; IRON-ON APPLIQUÉS; ORNAMENTAL CLOTH PATCHES

14. Each registration is currently valid, subsisting and in full force and effect, and is registered on the Principal Trademark Register of the United States Patent & Trademark Office (“USPTO”). Registration numbers 1575830, 1680452, 1796645, 1812198, 2082554, 2155823, 2293083, 2357303, 2526564, 3418764, 3436493, 3689696, 3696209, 3782740, 3797635 and 3858342 are incontestable pursuant to Section 15 of the Lanham Act, 15 U.S.C. § 1065. True and accurate records from the USPTO’s TDR database reflecting the Certificates of Registration

referenced above are attached as Exhibit A. The registered VARSITY Marks shall hereinafter be referred to as the "Registered Marks."

15. Varsity also owns the following trademarks and has filed applications for registration of such marks with the USPTO as follows:

MARK	APP. NO.	APP. DATE	GOODS/SERVICES
VARSITY LIFE	86012461	7/17/2013	ATHLETIC SHIRTS, ATHLETIC SHORTS, ATHLETIC TOPS, BODYSUITS, DRESSES, JACKETS, JERSEYS, JUMPERS, LEOTARDS, PANTS, SHORTS, SHIRTS, SKIRTS, SKORTS, SWEATERS, SWEATPANTS, SWEATSHIRTS, T-SHIRTS, UNITARDS, BODY SUITS AND WARM-UP SUITS; UNIFORMS FOR CHEERLEADERS, DRILL TEAMS, POM PON SQUADS, PEP SQUADS, MASCOTS, BANDS AND BOOSTER CLUBS; FOOTWEAR, NAMELY, ATHLETIC SHOES, CHEERLEADER SHOES, DANCE SHOES, GYMNASTICS SHOES, SLIPPERS, SNEAKERS, FLIP-FLOPS, SANDALS AND SHOES; GLOVES, VESTS, TIGHTS, MIDRIFFS, PONCHOS, BABIES' CLOTHING, CAPS, HATS, VISORS, HOSIERY, NECKTIES, GIRDLES, SPORTS BRAS, SOCKS, SLEEPWEAR, UNDERWEAR, NIGHT SHIRTS, LOUNGEWEAR, BOXER SHORTS, ROBES, PAJAMA AND ROBE SETS; JEANS, DENIMS, BELTS
A VARSITY ACHIEVEMENT BRAND	86315936	6/20/2014	JEWELRY, NAMELY, WATCHES, CLASS RINGS, RINGS, KEYS, CHARMS, AND PINS; KEY CHAINS AS JEWELRY EDUCATIONAL PUBLICATIONS, NAMELY, EDUCATIONAL LEARNING CARDS, FLASH CARDS, ACTIVITY CARDS, WORKBOOKS, TEXTBOOKS, ACTIVITY BOOKS, STORY BOOKS, PUZZLE BOOKS, PRINTED PUZZLES,

		<p>TEACHER GUIDES, MANUALS, POSTERS AND EDUCATIONAL BOOKLETS IN THE FIELD OF LIFE SCIENCE; TEXTBOOKS IN THE FIELD OF LIFE SCIENCE; EDUCATIONAL PROGRAM MATERIALS, NAMELY, PRINTED TEACHERS' GUIDES IN THE FIELD OF SOCIAL STUDIES; GLOBES; THREE-DIMENSIONAL MODELS AND MAPS; BOOKS, NAMELY, YEARBOOKS, ANNUALS, AND OTHER COMMEMORATIVE PUBLICATIONS; PHOTOGRAPHS; FINE PAPER PRODUCTS, NAMELY, DIPLOMAS, STATIONERY, ANNOUNCEMENTS, NAME CARDS; YEARBOOKS FOR EDUCATIONAL INSTITUTIONS CONTAINING INFORMATION RELATED TO ALUMNI; MAPS, POSTERS, PENCILS, PENS, STATIONERY, PRINTED CERTIFICATES, GREETING CARDS, BOOKS, EVENT PROGRAMS, BANNERS, MOTIVATIONAL CARDS, NEWSLETTERS AND BROCHURES IN THE FIELDS OF EDUCATION, MOTIVATION, LEADERSHIP, TEAMWORK, AND CHARACTER DEVELOPMENT</p> <p>PICTURE FRAMES AND CERTIFICATE FRAMES</p> <p>CHOIR ROBES AND COLLARS; CLERGY ROBES AND STOLES; ACADEMIC ROBES; CONFIRMATION ROBES; GRADUATION ROBES, GRADUATION CAPS; CAPS; TAMS; GOWNS; HOODS; NECKBANDS; MORTARBOARDS, NAMELY, CAPS WORN DURING ACADEMIC CEREMONIES; JUDICIAL ROBES, NURSES CAPES, SURPLICES, COTTAS, RABATS, AND STOLES; SHIRTS</p> <p>PROMOTING PUBLIC AWARENESS OF THE IMPORTANCE OF RESPONSIBLE ACTIONS ON THE</p>
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			PART OF YOUTHS IN THE AREAS OF COMMUNITY OUTREACH, IMPROVING GRADES AND TEAMWORK AND DISTRIBUTION OF PRINTED MATERIAL IN CONNECTION THEREWITH PROVIDING EDUCATIONAL SCHOLARSHIPS EDUCATIONAL SERVICES, NAMELY, CONDUCTING PROGRAMS IN THE FIELD OF CHARACTER DEVELOPMENT, LEADERSHIP AND MOTIVATION; PUBLICATION OF BOOKS, NAMELY, YEARBOOKS, ANNUALS, AND OTHER COMMEMORATIVE BOOKS
A VARSITY SPORT BRAND	86316142	6/20/2014	LEATHER KEY CHAINS; SPORTS BAGS, ATHLETIC BAGS, CARRY-ALL BAGS, GYM BAGS, TRAVEL BAGS CLOTHING, NAMELY, CAPS, BEANIES, HATS, VISORS, T-SHIRTS, POLO SHIRTS, SWEATSHIRTS AND HOODED SWEATSHIRTS, SWEATPANTS, JACKETS, PANTS, SHOES SPORTS EQUIPMENT, NAMELY, BUCKET CADDY FOR CARRYING, STORING AND TRANSPORTING BALLS AND OTHER SPORTS EQUIPMENT, SOCCER GOALS, STRESS RELIEF BALLS FOR HAND EXERCISE, STRESS RELIEF CUBES FOR HAND EXERCISE; ATHLETIC PROTECTIVE PADS FOR FOOTBALL; TOSSING AND CATCHING GAMES, NAMELY, DISC TOSS GAMES CONSISTING ESSENTIALLY OF FLYING DISCS, BEAN BAGS, BEAN BAG GAMES, SHUFFLE BOARDS, SHUFFLE BOARD GAMES; SCOOTER BOARD, SCOOTER BOARD GAMES; EQUIPMENT UTILIZED DURING THE PLAYING OF SPORTS, NAMELY, BOUNDARY CONES; BOWLING SETS; PUMPS FOR INFLATING SPORTS EQUIPMENT, NAMELY,

			BASKETBALLS, FOOTBALLS, SOCCER BALLS, AND PLAYGROUND BALLS; COOPERATIVE PLAY EQUIPMENT, NAMELY, PLASTIC HOOPS, NAMELY, TOY HOOP SETS; TEAMWORK TREKKERS; GAME SET COMPRISING BALL, STAND, BAT, PADDLE AND BALL; JUGGLING EQUIPMENT; HORSESHOES FOR RECREATIONAL PURPOSES; BADMINTON SETS; FLOOR HOCKEY SETS COMPRISING, FLOOR HOCKEY STICKS, FLOOR HOCKEY PUCKS, FLOOR HOCKEY BALLS; TABLE TENNIS ACCESSORIES, NAMELY, BALLS, NETS, PADDLES, POST SETS, RACKETS, TABLES; FOOSBALL TABLES; FOOSBALL TABLE ACCESSORIES, NAMELY, BALLS; MULTI-PURPOSE GAME TABLES, AIR-POWERED HOCKEY TABLES, BUMPER POOL TABLES; PERSONAL REST AND EXERCISE MATS; ATHLETIC FLOOR TAPE FOR MARKING PLAY AREAS AND GYM MATS FOR GAMES; TABLE TOP GAMES; NAMELY, BASKETBALL GAMES AND FOOTBALL GAMES AND TABLE TOP GAME STANDS FOR USE THEREWITH; BILLIARD GAME PLAYING EQUIPMENT; SHUFFLEBOARD TABLES; PERSONAL FITNESS MATS; SWING SETS; CROQUET SETS; SOCCER EQUIPMENT, NAMELY, SOCCER GAME TABLES AND SOCCER CORNER FLAGS; OVERSIZED VINYL PLAY BALLS FOR CHILDREN; POOL TABLES AND ACCESSORIES, NAMELY, CUES, CUE RACKS, CUE TIPS, BALL TRAYS, TRIANGLES, POOL BALLS, CHALK AND BUMPERS; AND TABLE TENNIS EQUIPMENT, NAMELY, PADDLES, BALLS, PADDLE FACES, CLAMPS AND NETS; SPORTS EQUIPMENT,
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		NAMELY, RACKS SPECIALLY ADAPTED FOR THE STORAGE OF FOOTBALL HELMETS AND FOOTBALL SHOULDER PADS, ANCHORLESS PYLONS, ATHLETIC TAPE, BLOCKING DUMMY AND REPLACEMENT PARTS THEREFOR, BLOCKING SLEDS FOR SPEED AND STRENGTH TRAINING OF FOOTBALL PLAYERS, CHIN STRAPS FOR FOOTBALL HELMETS, PROTECTIVE ATHLETIC CUPS AND SUPPORTERS, BAGS SPECIALLY ADAPTED FOR SPORTS EQUIPMENT, FOOTBALL DOWN MARKERS AND CHAIN SETS, FOOTBALL GIRDLES, FOOTBALL PAD SETS, INCLUDING HIP, THIGH AND KNEE PADS, AND FOOTBALL SHOULDER PADS AND ACCESSORIES THEREFOR; GOAL POST PADS, FOOTBALL TRAINING EQUIPMENT, NAMELY, HANDLE SHIELDS IN THE NATURE OF PADS WITH REINFORCED HANDLES FOR USE DURING FOOTBALL DRILLS, EXERCISE EQUIPMENT IN THE NATURE OF HIGH STEP MACHINES FOR AGILITY TRAINING, KICKING CAGES, KICKING TEE, LINEMAN CHUTE FOR SPEED TRAINING, LINEMAN MARKERS, MOUTH PIECES FOR ATHLETIC USE, PUNTING CAGES, PYLONS FOR MARKING THE GOAL LINE AND END ZONE, FOOTBALL PADS TO BE WORN ON HANDS AND FOREARMS DURING FOOTBALL DRILLS, AND SHOULDER PADS AND ACCESSORIES, NAMELY, NECK ROLL PADS, BICEPS PADS, BACK PLATES, STERNUM PLATES, SHOULDER PAD ELASTIC, AND SHOULDER PAD LACES; CLOTHING ESPECIALLY ADAPTED FOR SPORT USE IN THE NATURE OF CHAINMAN'S AND BOXMAN'S VESTS, FOOTBALL PANTS,
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		<p>SCRIMMAGE VESTS, AND FLAX VESTS IN THE NATURE OF PADDED VESTS SPECIALLY ADAPTED FOR USE IN THE SPORT OF FOOTBALL; BASEBALLS AND SOFTBALLS, BASEBALL BATS, SOFTBALL BATS, BASEBALL GLOVES, AND SOFTBALL GLOVES; BALLS, MATS, HOOPS, ROPES, BAGS, HURDLES, ARCHES AND CONDUITS FOR A SPECIALLY-DESIGNED FITNESS COURSE; ATHLETIC LANDING CUSHION APPARATUS-NAMELY, TUMBLING MATS, LANDING CUSHIONS FOR HIGH JUMPERS AND POLE VAULTERS, AND ACCESSORIES INCLUDING COVERS FOR SUCH TUMBLING MATS AND LANDING CUSHIONS, AND VAULTING BOXES FOR USE WITH VAULTERS' LANDING CUSHIONS; ATHLETIC EQUIPMENT, NAMELY, HURDLES, STARTING BLOCKS, HIGH JUMP AND POLE VAULT CROSS BARS, JUMP STANDARDS, VAULT STANDARDS, TOE BOARDS, TAKE-OFF BOARDS, BATTING TEES, KICKING CAGES, ATHLETIC AGILITY TRAINING UNITS COMPOSED OF METAL RODS SUPPORTING A RECTANGULAR GRID OF CODING, AND SOCCER GOALS; NETS USED IN THE GAMES OF TENNIS, BADMINTON, VOLLEY BALL, WATER POLO, SOCCER, SKEET, LACROSSE, FIELD AND ICE HOCKEY, BASKETBALL, PADDLE TENNIS, DECK TENNIS, HAND TENNIS, RING TENNIS, AND FOR GYMNASIUM NETS, GOLF PRACTICE AND BASEBALL BATTING CAGES, BASEBALL PROTECTION AND BASEBALL AND TENNIS BACKSTOP NETS, AND SPECIALLY ADAPTED NETS FOR DIVIDING OR PARTITIONING GYMNASIUM AND OTHER SPORTS AND GAME AREAS;</p>
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			MANUALLY-OPERATED EXERCISE EQUIPMENT AND EXERCISE MACHINES; SPECIALLY DESIGNED BAGS FOR SPORTS EQUIPMENT MAIL ORDER CATALOG SERVICES, ONLINE RETAIL STORE SERVICES, AND WHOLESALE DISTRIBUTORSHIP SERVICES ALL IN THE FIELDS OF SPORTING AND ATHLETIC GOODS, EQUIPMENT AND SUPPLIES, PHYSICAL FITNESS AND EXERCISE EQUIPMENT, CHILDREN'S PLAY EQUIPMENT, ELECTRONIC AND ACTION SKILL GAMES AND RECREATIONAL EQUIPMENT, SUPPLIES AND ACCESSORIES THEREFOR; ONLINE RETAIL STORE SERVICES FEATURING CLOTHING, UNIFORMS AND FOOTWEAR, SPORTING AND ATHLETIC GOODS, EQUIPMENT AND SUPPLIES; CUSTOMIZED ONLINE RETAIL STORE SERVICE FEATURING A CUSTOMIZED PRE-DESIGNATED INVENTORY OF CLOTHING, UNIFORMS, FOOTWEAR, AND SPORTING AND ATHLETIC GOODS, EQUIPMENT AND SUPPLIES
VARSITY GIRL	86824500	11/18/2015	COSMETICS, NAMELY, LIPSTICK, LIP LINER, FACE POWDER, BLUSH, MASCARA, EYELINER, EYEBROW PENCIL, AND EYE SHADOW; HAIR SPRAYS AND HAIR GELS, BODY LOTIONS; BODY BUTTER; COLOGNES; PERFUMES; BATH GELS; BUBBLE BATH; DEODORANTS FOR PERSONAL USE; LIP GLOSS; LIP BALM; COMPACTS CONTAINING MAKEUP; NAIL POLISH PRE-RECORDED VIDEOTAPES, DVDS AND COMPACT DISCS CONTAINING MUSIC AND/OR MOVIES; VIDEOGAME TAPE CASSETTES; VIDEO GAME CASSETTES; VIDEO GAME SOFTWARE;

		<p>DOWNLOADABLE SOFTWARE IN THE NATURE OF A MOBILE APPLICATION FOR MOBILE PHONES AND OTHER MOBILE DEVICES INCORPORATING A GRAPHICAL USER INTERFACE FOR USE IN DATABASE MANAGEMENT AND RETRIEVAL OF DATA; MEGAPHONES JEWELRY, CHARMS AND KEY HOLDERS OF PRECIOUS METALS MAGAZINES IN THE FIELDS OF CHEERLEADING, DANCE, SOCCER, GYMNASTICS, VOLLEYBALL, LACROSSE, FOOTBALL, BASKETBALL, BASEBALL AND TRACK AND FIELD GRIP BAGS, LUGGAGE, HANDBAGS, COSMETIC CASES SOLD EMPTY, WALLETS, SPORTS BAGS, CARRY-ALL BAGS, SHOULDER BAGS, BACKPACKS, KNAPSACKS, RUCKSACKS, DUFFLE BAGS, FANNYPACKS, WAIST PACKS, WRIST PACKS, ALL-PURPOSE SPORTING BAGS, ALL-PURPOSE CARRYING BAGS, TOTE BAGS, UMBRELLAS, SHOE BAGS FOR TRAVEL, MESSENGER BAGS, TRAVEL CASES, UNFITTED VANITY CASES AND VANITY CASES SOLD EMPTY, KEY CASES; WALKING STICKS AND OVERNIGHT BAGS HOME FURNISHINGS, NAMELY, SOFAS, CHAIRS AND NON-METAL KEY HOLDERS BED SHEETS, FITTED BED SHEET COVERS, BED FLAT SHEETS, PILLOW CASES; PILLOW SHAMS; DUVETS; DUVET COVERS AND BLANKETS FOR OUTDOOR USE, BLANKETS FOR BEDDING ATHLETIC SHIRTS, ATHLETIC SHORTS, ATHLETIC TOPS, BODYSUITS, DRESSES, JACKETS, JERSEYS, JOGGING SUITS, JUMPERS, LEOTARDS, PANTS, SHORTS, SHIRTS,</p>
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		<p>SKIRTS, SKORTS, SWEATERS, SWEATPANTS, SWEATSHIRTS, T- SHIRTS, UNITARDS, BODY SUITS AND WARM-UP SUITS; UNIFORMS FOR CHEERLEADERS, DRILL TEAMS, POM PON SQUADS, PEP SQUADS, MASCOTS, BANDS AND BOOSTER CLUBS; FOOTWEAR, NAMELY, ATHLETIC SHOES, CHEERLEADER SHOES, DANCE SHOES, GYMNASTICS SHOES, SLIPPERS, SNEAKERS, FLIP- FLOPS, SANDALS AND SHOES; GLOVES, VESTS, TIGHTS, MIDRIFFS, PONCHOS, BABIES' CLOTHING, NAMELY, TOPS AND BOTTOMS; CAPS, HATS, VISORS, HOSIERY, NECKTIES, GIRDLES, SPORTS BRAS, SOCKS, SLEEPWEAR, UNDERWEAR, NIGHT SHIRTS, LOUNGEWEAR, BOXER SHORTS, ROBES, PAJAMA AND ROBE SETS; JEANS, DENIMS, BELTS TOYS, NAMELY, TOY VEHICLES, MOLDED PLASTIC TOY FIGURINES, ELECTRONIC LEARNING TOYS AND ACTION FIGURES; DOLLS; STUFFED TOY ANIMALS; GAMES, NAMELY, ACTION SKILL GAMES, TARGET GAMES, BOARD GAMES, PARLOR GAMES, AND EDUCATIONAL CARD GAMES; JIGSAW PUZZLES AND MANIPULATIVE PUZZLES; CHEERLEADING POM-POMS; SPORTS BALLS, NAMELY, SOFTBALLS, BASEBALLS, FOOTBALLS, BASKETBALLS, VOLLEYBALLS, RACQUETBALLS AND TENNIS BALLS; SPORTS EQUIPMENT, NAMELY, TENNIS RACQUETS AND GOLF CLUBS</p>
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16. Varsity has extensively advertised and promoted Plaintiffs' goods and services under the VARSITY Trade Names and the VARSITY Marks for many years through various

media. The VARSITY Marks have also been the subject of widespread unsolicited media coverage across the United States and internationally.

17. As a result of the long and continuous use of the VARSITY Marks and variants thereof, and Varsity's substantial investment of time, money and effort in advertising and promoting such marks, the VARSITY Marks have developed substantial public recognition; and by virtue of Plaintiffs' extensive use in commerce of the Varsity Trade Names and the VARSITY Marks, the relevant trade and public have come to associate goods and services bearing VARSITY as a trademark with Plaintiffs.

DEFENDANT'S INFRINGING ACTIVITIES

18. Notwithstanding Plaintiffs' extensive nationwide, indeed worldwide, use of the VARSITY Trade Names and VARSITY Marks, VNN maintains an online interactive media website under the domain name "varsitynewsnetwork.com" using the name VARSITY NEWS NETWORK.

19. Upon information and belief, VNN promotes itself as an online marketing company for sports programs at high schools. Among other things, Defendant provides an internet website portal featuring entertainment news and information in the field of high school athletic programs, and creates and operates individual websites and software products including applications for high schools and individuals to report sports-related information such as team schedules, scores and fundraisers, register for athletic programs, and upload, access and share sports-related digital media such as player profiles, articles, photos and videos.

20. Customers throughout the United States and in Texas can use varsitynewsnetwork.com to learn more about VNN's products and schedule a demonstration.

21. VNN's website identifies one hundred and ninety-eight (198) Texas customers and includes schools that are located within the Dallas Division of this judicial district such as

Highland Park High School, Hillcrest High School, WT White High School, and WH Adamson High School.

22. The services of Defendant are substantially similar and related to services offered by Plaintiffs including, without limitation, the online media and news services offered by VARSITY TV and the online community pages at VARSITY.COM.

23. Defendant's VARSITY NEWS NETWORK mark so resembles Plaintiffs' VARSITY Marks and the VARSITY Trade Name as applied to their services that it is likely to cause confusion, mistake and/or deception, or to cause people to assume that Defendant's services are sponsored by, or produced under license from or are otherwise affiliated with Plaintiffs.

24. As a result of Defendant's unlawful conduct, unfair practices, and other tortious conduct, Varsity has suffered and will continue to suffer irreparable injury to Varsity's goodwill, business reputation, and valuable intellectual property, including its trademarks.

COUNT I – TRADEMARK INFRINGEMENT

25. Varsity incorporates and adopts by reference each and every allegation in the preceding paragraphs of this Complaint.

26. Defendant's activities as described above constitute infringement of Plaintiffs' VARSITY Marks in violation of Section 32(1) of the Lanham Act, 15 U.S.C. § 1114(1).

27. Defendant knew or should have known of the existence of Plaintiff's Registered Marks at the time Defendant adopted and began using the VARSITY NEWS NETWORK trademark.

28. Defendant's unlawful activities result and will result in irreparable harm and injury to Plaintiffs. Among other harms, these acts deprive Plaintiffs of their absolute right to

determine the manner in which their image is presented to the general public; deceive the public as to the origin and sponsorship of Defendant's services and wrongfully trade upon Plaintiffs' reputation and exclusive rights in Plaintiffs' VARSITY Marks.

29. Defendant's use of the VARSITY NEWS NETWORK mark is confusingly similar to Plaintiffs' VARSITY Marks.

30. Defendant's online media services are the same or substantially similar to Plaintiffs' services and are offered to the same U.S. customers of Plaintiffs' products and services.

31. Defendant's actions caused and, if not enjoined, will continue to cause serious and irreparable injury and damage to Plaintiffs and to the goodwill associated with the Plaintiffs' VARSITY Marks.

32. Plaintiffs have no adequate remedy at law.

COUNT II – UNFAIR COMPETITION

33. Varsity incorporates and adopts by reference each and every allegation in the preceding paragraphs of this Complaint.

34. Defendant's actions are likely to cause confusion as to the source or sponsorship of Plaintiffs' goods and services.

35. Defendant's actions constitute false representation and false designation of origin in violation of Section 43(a)(1) of the Lanham Act, 15 U.S.C. § 1125(a)(1).

36. Defendant's actions caused and, if not enjoined, will continue to cause serious and irreparable injury and damage to Plaintiffs and to the goodwill associated with the VARSITY Marks.

37. Plaintiffs have no adequate remedy at law.

COUNT III – COMMON LAW UNFAIR COMPETITION

38. Varsity incorporates and adopts by reference each and every allegation in the preceding paragraphs of this Complaint.

39. Defendant's use of the VARSITY NEWS NETWORK mark in connection with the aforesaid activities constitutes unfair competition under Texas common law.

40. The VARSITY Marks, including the Registered Marks, are distinctive and have developed substantial public recognition by virtue of Plaintiffs' extensive use in commerce, and the public has come to associate goods and services bearing VARSITY Marks as a trademark with Plaintiffs.

41. Plaintiffs' use of the VARSITY Marks, including the Registered Marks, pre-dates Defendant's use of varsitynewsnetwork.com and "Varsity News Network."

42. Defendant's use of the VARSITY Marks, including the Registered Marks, is likely to confuse the public.

43. Defendant was or should have been, at all times, fully aware of Varsity's trademark rights. Defendant's actions caused and, if not enjoined, will continue to cause serious and irreparable injury and damage to Plaintiffs and to the goodwill associated with the VARSITY Marks.

44. Plaintiffs have no adequate remedy at law.

COUNT IV – TRADEMARK INFRINGEMENT – TEXAS COMMON LAW

45. Varsity incorporates and adopts by reference each and every allegation in the preceding paragraphs of this Complaint.

46. With full knowledge of Varsity's property rights in the Varsity Marks and of Varsity's reputation, and without Varsity's consent or knowledge, Defendant has used the Varsity Marks to advertise, promote, market and sell goods and to represent falsely to members of the public that Defendant is authorized, sponsored, and approved by and affiliated with Varsity. Defendant's above-described actions constitute trademark infringement in violation of the common law of the State of Texas.

47. Defendant was or should have been, at all times, fully aware of Varsity's trademark rights. Defendant's actions caused and, if not enjoined, will continue to cause serious and irreparable injury and damage to Plaintiffs and to the goodwill associated with the VARSITY Marks.

48. Plaintiffs have no adequate remedy at law.

COUNT VI – TRADEMARK DILUTION – TEXAS LAW

49. Varsity incorporates and adopts by reference each and every allegation in the preceding paragraphs of this Complaint.

50. The VARSITY Marks, including the Registered Marks, are arbitrary, fanciful, and/or highly distinctive, as used in connection with web content directed to high school and college age teens and their parents, as well as online news, articles, audio clips, resources, photos and videos, and are strong and famous marks as a result of Varsity's prominence in the marketplace and extensive advertising of its goods.

51. Defendant, by wrongfully using the VARSITY Marks long after they became famous, are misleading the public into believing that its products and services, and its advertisements, websites, and business are connected with Varsity's business, when in fact they are not. Further, Defendant's false representations will inevitably deceive customers as to the

nature, quality, and characteristics of the products advertised and sold by Defendant. Such action dilutes Varsity's reputation, goodwill, and the VARSITY Marks, including the Registered Marks.

52. Defendant's acts are likely to deprive Varsity of the benefit of the goodwill attached to the VARSITY Marks, including the Registered Marks, injure Varsity's business reputation, and dilute the distinctive quality of the VARSITY Marks in violation of the Texas Business and Commerce Code § 16.103.

53. Defendant's unauthorized use of the VARSITY Marks, including the Registered Marks, commenced after the marks became famous.

54. Defendant was or should have been, at all times, fully aware of Varsity's trademark rights. Defendant's actions caused and, if not enjoined, will continue to cause serious and irreparable injury and damage to Plaintiffs and to the goodwill associated with the VARSITY Marks.

55. Plaintiffs have no adequate remedy at law.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs respectfully request that the Court:

A. Preliminarily and permanently enjoin Defendant, its officers, agents, employees, and related companies, and all persons acting for, with, by, through, or under them, from:

(i) Using the designation "VARSITY NEWS NETWORK" or any other mark, term, name, title or domain name confusingly similar to Plaintiffs' VARSITY Marks; and

(ii) Committing any other act calculated or likely to cause the public to believe that Defendant is in any manner connected, affiliated or associated with Plaintiffs or from otherwise competing unfairly with Plaintiffs;

B. Order Defendant, pursuant to 15 U.S.C. § 1118, to deliver to Plaintiffs for destruction all material (including, without limitation, all inventory, advertisements, promotional materials, brochures, signs, displays, stationary, business cards and/or invoices) within their possession, custody or control, either directly or indirectly, that bear the designation “VARSITY NEWS NETWORK” or any other mark, term or title confusingly similar to Plaintiffs’ VARSITY Family of Marks;

C. Direct Defendant, pursuant to 15 U.S.C. § 1116(a), to file with the Court and serve upon Plaintiffs, within thirty (30) days after entry of final judgment, a report in writing and under oath setting forth in detail the manner and form by which it has complied with the provisions set forth above;

D. Direct Defendant, pursuant to 15 U.S.C. § 1117(a), to account to Plaintiffs for all gains, profits and advantages derived from Defendant’s wrongful acts;

E. Award to Plaintiffs, pursuant to 15 U.S.C. § 1117(a), the greater of three times the amount of Defendant’s profits or any damages sustained by Plaintiffs, together with interest on such amount and the costs of this action;

F. Award to Plaintiffs, pursuant to 15 U.S.C. § 1117(a) and state law, their attorneys’ fees and the costs of this civil action; and

G. Award to Plaintiffs such other and further relief as the Court deems just and proper.

Dated: January 4, 2017

Respectfully submitted,

/s/ Steven G. Schortgen

Steven G. Schortgen

Texas Bar No. 00794603

Jennifer Klein Ayers

Texas Bar No. 24069322

K&L Gates LLP

1717 Main Street, Suite 2800

Dallas, Texas 75201

Telephone: (214) 939-5500

Facsimile: (214) 939-5849

steve.schortgen@klgates.com

jennifer.ayers@klgates.com

J. Christopher Jensen, *Lead Attorney, Pro Hac Vice
Forthcoming*

N.Y. Bar No. 1061993

COWAN LIEBOWITZ & LATMAN, P.C.

114 West 47th Street

New York, New York 10036

Tel: (212) 790-9200

Fax: (212) 575-0671

jcj@cll.com

Attorneys for Plaintiffs